

FILED 14 APR 2016 8:32AM DCR-DRP

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON

UNITED STATES OF AMERICA,

03:15-CR-00291-JO

Plaintiff,

v.

STIPULATED ORDER OF
GARNISHMENT

ROBERT HELLER,

Defendant,

VOYA FINANCIAL,

Garnishee.

The parties, The United States of America, plaintiff, Robert Heller, the defendant, and Tina Heller, spouse of defendant, agree and stipulate as follows:

1. The defendant's name is Robert Heller, Social Security Number xxx-xx-2538, spouse Tina Heller, Social Security Number xxx-xx-3978, and their last known address is: 5640 Hazen Road, Warren, OR 97053-9601.
2. Defendant was sentenced on April 13, 2016, and ordered to pay restitution in the amount of \$287,500.00. A balance of \$287,500.00 remains outstanding.
3. Defendant Robert Heller and spouse Tina Heller hereby agree and waive their rights to retirement account fund 401K Plan GH1745, held by garnishee, which shall applied to

the outstanding restitution obligation. The parties agree and stipulate that the garnished funds shall be applied to the Judgment for restitution entered in United States v. Robert Heller, Case Number 3:15-CR-00291-JO, in the U.S. District Court, District of Oregon on April 13, 2016.

4. Tina Heller, Social Security Number xxx-xx-3978, agrees and stipulates that she has no interest in, and waives all rights and entitlements to, the retirement account funds held by garnishee in 401K Plan GH1745.

5. The defendant, Robert Heller, waives service of an application for a writ of continuing garnishment pursuant to Section 3205 of the Federal Debt Collection Procedures Act of 1990, 28 U.S.C. § 3205, and further waives the right to a hearing under § 3205 and any other process to which the defendant may be entitled under the Federal Debt Collection Procedures Act of 1990.

Pursuant to the stipulation of the parties,

IT IS HEREBY ORDERED that the retirement account fund, 401K Plan GH1745, held by garnishee, shall be applied forthwith to the judgment for restitution entered in United States v. Robert Heller, Case Number 3:15-CR-00291-JO, in the U.S. District Court, District of Oregon on April 13, 2016, which has an outstanding balance of \$287,500.00.

IT IS FURTHER ORDERED, that if the above funds held by the garnishee are that of an IRA or retirement account of any kind, garnishee shall not deduct federal, state and local taxes, including ten percent (10%) IRS penalties for premature withdrawal, related to the withdrawal of said funds.

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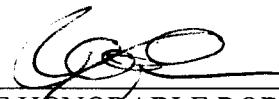
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Checks should be made payable to: CLERK OF THE COURT

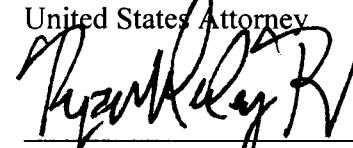
and mailed to: United States Courthouse
Clerk of Court
1000 SW Third Avenue, Suite 740
Portland, Oregon 97204

Dated this 17 day of April, 2016.

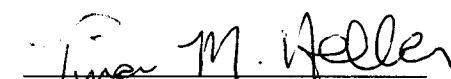

THE HONORABLE ROBERT E. JONES
United States District Judge

Respectfully submitted, as stipulated by:

BILLY J. WILLIAMS
United States Attorney


RYAN W. BOUNDS
Assistant United States Attorney


ROBERT HELLER
Defendant


TINA HELLER
Spouse of Defendant


WAYNE MACKESON, ESQ.
Attorney for Defendant Robert Heller